

Minutes from the WeCAN Meeting held at Westfield City Hall Assembly Room on
February 24, 2009 at 7 pm.

Disclaimer: I hope you will find these notes helpful. They are not a complete representation of the meeting, but rather the highlights of topics discussed. Feel free to contact me at Westfield City Services Building (317) 804-3002 if you have any questions. -TB

February 24, 2009

Agenda

- I. Announcements
- II. Fireworks Ordinance Draft
- III. Adopt-A-Highway/Adopt-A-Street
- IV. Property Assessments
- V. Ending Announcements

I. Announcements

The next WeCAN Meeting will be Tuesday, March 31.

School Redistricting Proposal by Chris Baldwin

Chris Baldwin, Westfield Washington Schools District Human Resources Director, provided information regarding the recent redistricting proposal. The information is available on the School's website www.wws.k12.in.us. Mr. Baldwin also noted that a global connect message was sent to all parents of elementary school children in the district to make them aware of the proposal. The proposal addresses the following factors:

- 1) Current number of students in each school
- 2) Diversity and equity
- 3) Bus route times and safety
- 4) Splitting of subdivisions/neighborhoods
- 5) Children moved before and future development/expansion

Please view the complete [proposal](#) and [map](#).

It is currently unknown when a decision will be made but there will be notice of the meeting. It could be as early as March 10. The meeting at the end of March or April are also possibilities.

Smoking Ban Survey Update

Last week, the Indiana House of Representatives passed HB1213. As originally written, this bill would give everyone who lives and works in our state basic health protection from secondhand smoke. The House added unacceptable loopholes that leave out the workers most impacted by secondhand smoke—those who work in bars and casinos.

Please [click here](#) to see more information and a list of senators to contact if you would like to voice your opinion on the bill.

Homeowners Bill

Jim Ake, president of Centennial HOA, brought [HB 1071](#) -- Homeowners associations. to WeCAN's attention. In its current form:

DIGEST OF HB1071 (Updated February 23, 2009 10:42 am - DI 84)

Homeowners associations. Applies the following provisions to a homeowners association (association) established after June 30, 2009, and allows an association established before July 1, 2009, to elect to be governed by the provisions: (1) Requires an association to maintain a current roster of all members of the association (members). (2) Requires an association to prepare an annual budget that must be approved by the members. (3) Requires the board of directors of an association (board) to address an item of business if more than 50% of the members petition the board to address the item. (4) Prohibits a board from entering into certain contracts without the approval of the affected members. (5) Prohibits a homeowners association from incurring certain amounts of indebtedness or liability on behalf of the homeowners association unless incurring the indebtedness or liability is approved by the affirmative vote of a majority of members of the homeowners association. (6) Provides that the governing documents of an association must include grievance resolution procedures that provide for the final and binding resolution of disputes. (7) Provides that the governing documents of an association must allow for the termination of the association. (8) Specifies procedures concerning enforcement of homeowners association liens involving unpaid regular annual assessments and collection of other unpaid assessments that are not enforceable through the use of a lien. (9) Prohibits an association from suspending the voting rights of a member for nonpayment of annual assessments unless the assessments are delinquent for more than one year. (10) Provides certain defenses to a member if the association brings a civil action against the member involving an act in furtherance of the member's right of petition or free speech.

Current Status: In Committee - 2nd House

Several comments were made in regard to the bill:

- It is difficult to get 50% of association members to vote in even the general elections
- Members put trust in those that are elected to the board to make the decisions
- Negotiating contracts will be more time consuming
- Bill has ambiguous stipulations

The bill in its current form does stipulate that it is only required by those HOAs established after June 30, 2009 but the bill may change before it is passed.

From a show of hands of the 25 neighborhood representatives in the room, everyone opposed the bill. Courses of Action to take:

- 1) Please contact your property manager and ask them to contact the representatives in the Senate (especially on the committee that will next hear the bill).

The bill is not currently scheduled to be heard. Please check the [schedules](#) for the following committees that the bill may be assigned to:

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Senate Courts and Juvenile Justice Subcommittee

Chair: Senator Head

Members: Bray, Holdman, Lanane, Taylor

Senate Judiciary

Chair: Senator Bray

Members: Zakas R.M., Alting, Head, Holdman, Lubbers, Steele, Lanane R.M.M., Broden, Randolph, Taylor

Senate Probate Code and Trusts Subcommittee

Chair: Senator Zakas

Members: Alting, Lubbers, Steele, Broden, Randolph

The City will help in any way we can regarding this issue that affects the Westfield HOAs.

Signage

Jennifer Miller from Community Development presented information on Sandwich Board Signs and Temporary and Special Event signage. Neighborhoods can publicize neighborhood or personal events several ways. Sandwich Boards are the preferred method and a permit fee is not required. These do not have to be expensive but must follow the guidelines set forth. Please see the [PowerPoint](#) for detailed information. If you have questions, please call the Community Development Department at 317-804-3170 and follow the prompts to speak to a planner.

Some of the questions asked are summarized below:

Q: Where is the common area of my subdivision?

A: Generally, the area where the sign to the entrance of the subdivision is.

Q: Why do you have signage permits and requirements?

A: To curb littering and keep the City of Westfield looking its best for residents and visitors.

Q: Where am I prohibited from placing a sign?

A: You may never place signs on utility posts or in the roadway.

Q: Why can businesses have signs on the sidewalks but other areas are not allowed?

A: The businesses can place a sign within 10 feet of the building entrance but they must have a 5 foot passing block.

Q: What if a sign is displayed that does not have the proper permit?

A: Community Development will take the sign down and make every effort to contact the owner by using the information on the sign (name, address, phone).

Q: What do I do if a realtor puts a sign on my private property?

A: A realtor suggested throwing away the sign (cost is about \$40-\$70 per sign) and sending a letter to the principal broker stating that they have trespassed on your property.

II. Fireworks

Jennifer Miller has looked at the suggestions of WeCAN, the City Attorney, Community Development and the Fire Department to come up with a draft fireworks ordinance. The proposed changes to the sale of fireworks include:

- Only sold in specific types of buildings – not tents or other temporary structures
- Only sold in business districts
- Requires fire extinguishers
- Storage and sales must be within the store – no temporary or portable storage units
- License from State and City required (estimated at \$1,000)

Second Reading and Adoption Consideration is planned to be April 27 or May 11.

Please click here for the complete [presentation](#).

III. Adopt-A-Highway/Adopt-A-Street

Mayor Cook introduced the topic by emphasizing that the cleanliness of the streets reflects on the City. Ron Buell from INDOT then gave a presentation on the Adopt-A-Highway Program and the importance of not littering.

Beautifying the state and protecting the environment are the major factors that contribute to the need of programs such as Adopt-A-Highway. Once litter is already present, people are more likely to litter there. The chain of littering is curbed by INDOT employees, Department of Corrections employees, as well as Adopt-A-Highway groups who currently pick up the litter. Of the trash that is picked up along the road, the following percentages are estimated: 59% paper, 16% cans, 6% bottles, 6% plastic and 13% miscellaneous. Annually, it costs taxpayers about \$115 million nationwide for trash pickup.

Adopt-A-Highway Program

Trash is picked up by groups generally from April (Trash Bash Kick-Off) through October or November. The groups that make a 2 year commitment to pick up trash 4 times a year have a blue sign put up along the road they are sponsoring. The signs cost about \$200-\$250 per sign but there is no cost to the volunteers. Typically, a group of about 6-10 people will adopt a stretch of highway 2 miles long. Groups of 25-30 people generally adopt 5 miles. In Westfield, the best area to address would be the area West of US 31 because of less population. It was suggested that WeCAN could adopt a stretch of highway or at least spread the word to community service organizations about the program. Click here for a [sign-up packet](#).

On a more local level, Chad Spitznagle of the Supervisor of the City of Westfield Streets Department, presented another option to residents. The City could provide the materials for neighborhoods to clean the perimeter of their neighborhoods. Hamilton County Corrections is also available to pick up on main roads. Currently, we have one person on staff to pick up trash in the City. He alone picked up over 3,300 pounds of trash. The other street crew members also take time to throw away litter. The staff could better be utilized in other areas. The absence of litter on the streets would benefit current residents, visitors and encourage economic development. If you are interested in adopting the perimeter of your neighborhood, please contact Chad at cspitznagle@westfield.in.gov.

IV. Property Assessments

Jerolyn Ogle, Washington Township Assessor, spoke about [how properties are assessed](#). Assessors look at both the inside and outside of the house when the house is built. The assessments are based on cost tables from 2002 which have 1999 pricing. The cost tables look at price per square foot. Because the costs today are much different, the assessors use neighborhood factors (sales in the neighborhood) to derive the assessed value. The sales are broken down to compare similar homes (one story versus two story, square feet of home, etc). In order to use the sales information, there must be at least 3% of sales data in that area.

The goal is to get the assessed value to market value. The annual trending factor is a result of equalization. Equalization looks at the sales compared to the assessed values. If all the sales in the neighborhood are 15% below the assessed values of the homes, the assessed value would need to be adjusted 15% for that neighborhood.

The data to calculate the pay 2009 information would normally use 2007-2008 information. Due to the economy, the assessors have been asked to use 2008 information only to get a truer picture of value.

Foreclosures also affect the assessed value of the neighborhood. For example, in one year a neighborhood had more foreclosure sales than regular sales. In that instance, the assessor would use the foreclosure numbers, not the regular sales numbers for comparison.

In addition to the processes in place for determining assessed value, homeowners also have the right to appeal to have the value adjusted.

The assessor's office is also looking into refiguring land values. The old way of calculating land valued the front footage at a higher value than the back which is why you may see differences in land value.

The tax bills will probably not go out on time this year.

You can find more information regarding property assessments at www.in.gov/dlgf.

Please make sure you and your neighbors are filing for the applicable [deductions and exemptions](#)!

IV. Closing Announcements

Request for Mayor to Speak at Neighborhood Meetings in 2009

The Mayor is making himself available to meet with all neighborhoods in 2009. If you would like to take advantage of this opportunity: please email me the date, time, location, contact name and phone number or email of your neighborhood's meeting.

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March 31st WeCAN Meeting Agenda

Westfield In Bloom

Stormwater/Drainage

Please let me know if you have any additional topic suggestions.

Neighborhood Representation

Please make sure to email me contact information for someone from your neighborhood that will attend the WeCAN meetings when your HOA has board member transitions.

There are still some neighborhoods that are not represented at WeCAN. Please look over the [list](#) and encourage your contacts in those areas to become involved.

If you have questions/suggestions, please email Tammy at tblackburn@westfield.in.gov.
Thank you!